Town of Corning Planning Board Meeting Minutes with Public Hearing(s)
Held at the Corning Town Hall – 20 S Maple Street
June 26, 2018

Members Present	Applicants Present	Others Present
Chair Wayne Bennett	Rep. for Patricia Pinkston	Planner Chelsea Robertson
Dale Bly	Ted Brew	CEO Chuck Coons
Mike Quattrini	Cheryl Fulkerson	Engineer Dave Iocco
Richard Pope	Jeff Bly	Avonne Dickerson
Marianna Redner	Reps. For Bampa's House	Attorney Maggs

At 5:30 pm motion by Dale Bly seconded by Marianna Redner to open the meeting. All yes, motion carried.

Minutes Review

Motion by Mike Quattrini seconded by Dick Pope to approve the May 22, 2018 minutes with corrections. All yes, motion carried.

At this time Chair Bennett stated that there is a slight change in agenda; application for Dale Bly will be reviewed before Bampa's House application.

1.) Patricia Pinkston reaffirm subdivision from the March 27th, 2018 Planning Board Meeting

Subdivision of a 31.943-acre parcel located at 2395B Davis Road.
Tax map: 354.00-01-041.000.

Subdivision for Ms. Pinkston's property was approved at the March Planning Board Meeting; however, Steuben County refused the plats as they were filed one day past the 62-day filing deadline.

Board reviewed original SEQR from the March 2018 meeting with no changes. Motion by Marianna Redner seconded by Dick Pope to reapprove the subdivision and submitted plats and to authorize Chair Bennett to sign maps with todays date. All yes, motion carried.

2.) Ted Brew, 2853 Hickock Road, variance required

Applicant is planning on building a new home on this property. Due to the odd shape of the lot Mr. Brew is requesting a 4' variance from the required 80' rear setback to reasonably place the residence.

The setback is not out of character for the neighborhood and it falls within the Town of Corning Master Plan.

Motion by Dick Pope seconded by Dale Bly to issue an advisory opinion to ZBA recommending that the requested variance be issued. All yes, motion carried.

3.) Cheryl Fulkerson, 3472 Hornby Road, subdivision

Subdivision of a 4.216-acre parcel from a 16.67-acre parcel. Tax map: 299.00-01-006.110.
The subdivision of this vacant parcel is considered a minor one. All setbacks are met.
Parcel is very steep, and it is unlikely that there will ever be any development on it.

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SEQR

Motion by Dale Bly seconded by Marianna Redner for the Planning Board to claim itself as lead agency and classify this as an unlisted action. All yes, motion carried. Chair Bennett went through the Short Form EAF with board members. All 11 questions were answered with a "no" by all members.

Motion by Dick Pope seconded by Mike Quattrini to issue a negative declaration of environmental significance. All yes, motion carried. At 6:05 pm Dale Bly made a motion seconded by Marianna Redner to open the Public Hearing. At 6:06 pm, after hearing no adverse comments, Chair Bennett closed the Public Hearing and reopened the regular meeting.

Motion by Dale Bly seconded by Mike Quattrini to approve the plats as submitted and authorized the Planning Board Chair to sign them. Chair Bennett reminded applicant that she has 62-days to file plats with Steuben County.

At 6:07 pm member Dale Bly recused himself from the meeting and the building.

4.) Jeff Bly, owner of O H Striping Co., 11217 River Road-for the Town of Corning Planning Board to consider revocation or amendment for noncompliance with conditions set forth in the granting of said use.

The Public Hearing for Mr. Bly was held at the May 22nd, 2018 Planning Board Meeting. The Board discussed the issue of the meeting-to amend or revoke Mr. Bly's permit.

One concern the Planning Board had was what type of water system Mr. Bly is going to use. CEO Coons noted that he recently received a receipt from Jody Allen stating that she would be completing this project.

*Attorney Maggs stated that since there have been changes submitted to Bly's original plans the previously held Public Hearing by law, remains open.

At the June 13th pre-planning meeting Mr. Bly presented an updated site plan.
Following is a list of items that were required and reviewed on the updated site plan:

- Parking will consist of 23 spaces-14 in the front, 9 in the back of the building.
- There will be approximately 7 employees and about 9 work trucks.
- Distance from building to front property is about 40'.
- Signage will consist of a 20' flag pole with a 4' x 7' 1/2 sign under a roof.
- Light for sign will be within local codes.
- Buffer barrier will be a row of willow trees as the Corning Town Board declared at their last meeting (unless otherwise agreed upon between Mr. Bly, the Lotts and the Planning Board).

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- Jimmy Joe Carl, Chemung County Storm water Engineer worked with Mr. Bly on the SWPPP that was accepted by DEC.

At 6:18 pm Chair Bennett asked Board members to consider how they want to handle the application; whether to amend or revoke Bly's permit. Mike Quattrini suggested that the Board may want to amend the existing conditional use permit and ask for assistance of the CEO, DEC and any other parties that need to be involved.

Marianna Redner suggested that if there is an amendment, a timeline be placed.

Dick Pope asked Planner Robertson for her opinion.
She stated that the site plan meets requirements and after talking with Engineer Jimmy Joe Carl she feels better about all of this.

Board members decided to go through the full site plan review to discuss required conditions:

a) TRAFFIC and PARKING:
One driveway is sufficient, as noted on site plan. It is already in place and is being used.
Loading zone will be for single use.
Parking area will be 9' x 20' plus another 11' x 12'.

b) BUILDING DESIGN, LIGHTING and SIGNS:
Timeline is for business to be in operation and conditions to be met by year end.
Lighting will be dark skies lighting, shining downward (not out) and not to leave the property.
Standard lighting will be placed at entry doors.

c) BUFFER, BARRIER and LANDSCAPING:
Town Board required 7 hybrid willow trees on the West toward the driveway.
There will also be 7 aphrodite trees on the West side of building along the berm (in front of parking) and 10 on the East side of building along berm, all equally spaced.

d) UTILITIES and DRAINAGE and FLOOD PROTECTION:
Must Follow the SWPPP to keep in compliance with DEC.
Original issued flood plain permit may need to be reviewed if conditional use is amended.

e) OTHER CONSIDERATIONS:
Empty containers can be stored outside.
All materials must be stored inside building.
Trash will be put into totes and pickup will be weekly.
Must follow SWPPP while keeping in compliance with DEC.
GML 239-m referral filed at County with no significant impacts for the community.
Nothing shall be stored in the floodway.
Hours of operation will be 6 am - 8 pm Monday through Friday, 7 am to 5 pm on Saturday.
Parking lot to be low dust surface such as crushed limestone.

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SEQR-O H Striping

On March 28, 2018, Planning Board declared itself as lead agency and determined that this was an unlisted action. SEQR was also completed on that date and Planning Board answered all 11 questions with "No, or small impact may occur".

At this time Planning Board decided to review the SEQR and review the 11-question form to determine if there are any changes. Marianna Redner read through the questions. Question #2, #3 and #10 answers were altered to: "Moderate to large impact may occur." These questions pertained to-change in the use or intensity of use of land; impairing the character or quality of the existing community; increase the potential for erosion, flooding or drainage? These 3 items are being mitigated with conditions lined out in these meeting minutes.

Motion by Marianna Redner seconded by Dick Pope to reaffirm the SEQR as a negative environmental impact and to issue a declaration of environmental significance. All yes, motion carried.

Motion by Mike Quattrini seconded by Dick Pope for the Planning Board to amend the original O H Striping Company conditional use permit. All yes, motion carried.

Motion by Mike Quattrini seconded by Dick Pope to accept the amended plan presented by O H Striping with the conditions as discussed and listed in the above section 4a, b, c, d, and e. All yes, motion carried.

At 8:25 pm motion by Marianna Redner seconded by Dick Pope to close the meeting for a five-minute break. All yes, motion carried.

At 8:35 pm motion by Marianna Redner seconded by Dick Pope to reopen the meeting. All yes, motion carried. Dale Bly rejoined the meeting.

5.) Corning Comfort Care home, Charlotte Dugan & Joan D Wilson-review of final site plan
Tax map: 336.00-01-012.113

At the last meeting Planning Board declared itself as lead agency and classified this as an unlisted action. Chair Bennett stated that only new items only will be discussed and 3 minutes speaking time per person.

Public Hearing

At 8:39 pm motion by Dale Bly seconded by Marianna Redner to open the meeting to the public. All yes, motion carried.

1.) Judy Cox Summit Street-is this a residential zone and a business wants to move in there. Who changed the zoning?

2.) Tom Cook, Brown Road-lives in the village and in an R1zone. True intention of zoning law is that businesses are not allowed in residential areas. People that live in this neighborhood pay taxes and like to enjoy the peace and quiet. If approved a precedent will be set.

3.) Steve Schwartz, Brown Road-what is in this for the Town? We are trusting you to do the right thing.

4.) Joe Kilmer, Brown Road-Master Plan is why we have things laid out the way they are. Opposed to this project. Use is not in line with the zoning laws. Traffic is a major concern and will impact the village. Consider the letters from the Mayor and attorney. Lack the plan that we need to hold this public hearing.

5.) Jamie Cooney, Brown Road-asked to see site plan. Board must review the criteria (19 items) so public can review. Has made several FOIL requests for this information. Viewed parcel and found that Bampa's House has a footprint of 3,600 sq. feet and a totable usable area of 6,500 sq. feet. Way out of size for the Brown Rd. area. Trying to keep traffic out of the R1zone. Nursing home is not allowed in the village zoning.

6.) Linda Schwartz, Brown Road-did any of the Board members visit any other convalescent homes? Still do not know what they are about. Not less than 40 people have went through these kinds of homes. This would create an increase in traffic that will only disturb Brown Road, Village of South Corning and not the Town of Corning.

7.) Mary Ann Starbuck, on the Board of Bampa's house-this is in a R2 zone and is allowable conditional use in a R2 zone.

8.) Rosemary Mullaney, Downing Street-on the Board of Bampa's House. All thinking of the worst things that can happen. Lives near the hospital but it does not alter her life. Not a facility or a nursing home. Will not even know they are there.

9.) Judy Eckles, Jim Dugan's sister-you heard we were coming and did not talk to Comfort Care. This is a house. People do not come in in an ambulance or at night. This is not up and down traffic. The concept is not to change zoning. Two people at the most will ever be in the house. There are already two businesses on Brown Road-landscaping and photography businesses.

10.) Doty Clayberger Rose Road-would like to add this to my neighborhood. You people associate horror with dying.

11.) Jim Roush, Brown Road-live at the end where the plan opposed compounds traffic that comes and goes. Neighborhood very quiet. This will change the character of the neighborhood. Will be a traffic issue. counted traffic less than four cars go by in a day. Will change the of the neighborhood. Ambulance, funeral homes will be coming in the neighborhood pay people to come every 4 hours strangers will be coming and going.

12.) Wanda Boeke, Brown Road-considering an appeal ZBA request that this public hearing continue because reschedule has not classify this. Parking will be an issue. Training sessions

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will create more cars. Slope on hillside always an issue. ZBA will not act until this board has acted.

At 9:18 pm Chair Bennett closed the public hearing.
Items that have already been discussed and completed:

- 239m review was received from Steuben County with no intermunicipal concerns.
- A letter was received from South Corning Village for the Board to consider traffic concerns.
- Traffic assumptions from applicant was received.
- Applicant has provided drawings.
- CEO provided traffic counts and received traffic count information from a few others.
- ZBA will be meeting soon to determine if a comfort care facility meets the Town's definition of a convalescent home or not.

Board member Pope asked Planner Robertson is she feels we have enough information to move forward. She understands that the ZBA will not act on any decision until the Planning Board has completed their decision.
Planner Robertson mentioned that at some point in time, there may be other options for building on that property such as multi-family homes or an apartment complex that would require a conditional use permit.

SEQR

Board went through the 11-question Part 2 – Impact Assessment Form. All questions except # 5-concerning adverse change in the existing level of traffic-were answered "no, or small impact may occur".

Being that # 5 was answered no, the Board discussed ways to mitigate traffic such as: going through the SEQR long EAF, a completed traffic study, approval from Village Highway Superintendent that the road would handle any extra traffic, car-pooling, possibly Summit Street access.

After discussion the Board decided to change # 5 from a moderate traffic impact to a small impact, as the SEQR long form does not address the traffic conditions. Roll Call vote-Dick Pope, Mike Quattrini, Dale Bly, Marianna Redner, Wayne Bennett. All yes, motion carried.

Based on discussion the Board determined that this action will have a negative environmental impact-Roll Call vote-Mike Quattrini-no, Dick Pope, Mike Quattrini, Dale Bly, Marianna Redner, Wayne Bennett. All yes, motion carried.

Conditions

- Curb cut already in place.
- Trees on either side of the driveway.
- Signage will be a maximum of 1' x 3'.

- Parking conforming to existing parking laws.
- No fund-raising events.
- Hours 0 to 24.
- Follow DEC regulate of SWPPP requirements if more than 1-acre disturbed.
- Dark skies lighting will be used and not to leave property.
- Village water and sewer.
- Keep buffer as existing landscaping.

Motion by Dale Bly seconded by Marianna Redner to approve the presented site plan as final, subject to the above list of conditions. Voice vote, all yes.

Meeting closed at 10:40 pm.

Respectfully submitted, Planning Board Clerk-Avonne M Dickerson

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